## PATENT AND TRADEMARK OFFICE

Applicant(s): Dean L. Engelhartd et al.

Serial No.

08/182,621

Filed:

January 13, 1994

Title:

**NOVEL PROCESS, CONSTRUCT** AND CONJUGATE FOR PRODUCING MULTIPLE NUCLEIC ACID COPIES

Group Art Unit: 1807

Examiner: D. Rees

527 Madison Avenue, 9th Floor New York, New York 10022 October 1, 1996

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231 **Box DAC** 

Attention:

Office of Deputy Assistant **Commissioner for Patents** 2121 Crystal Drive Crystal Park 2 - Suite 913 Arlington, Virginia 22202

> PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION UNDER 37 C.F.R. §1.137(b)

Dear Sirs:

Applicants submit this Petition to the Commissioner under the provisions of 37 C.F.R. §1.137(b) to revive the above-identified application in which taking action was unintentionally delayed.

The above-identified application became unintentionally abandoned after November 30, 1995, which was the date that a response to the October 31, 1995 Restriction Requirement was originally due. A Notice of Abandonment was subsequently mailed on June 12, 1996. A copy of the June 12th Notice of Abandonment is attached to this Petition as Exhibit A.

It is hereby requested that this application be revived because the delay in taking action was unintentional. This petition is being made within one year of the date of abandonment pursuant to 37 C.F.R. §1.137(b).

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**EXPRESS MAIL CERTIFICATE** 

"Express Mail" Label No. Deposit Date OCTOBER 1.

I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicyted above shall is addressed to the Commission

Reg. No. 32,567

Engelhardt et al.

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Under 37 C.F.R. §1.137(b) - October 1, 1996)

Submitted concurrently herewith and attached as Exhibit B is a proposed Communication in Response to the October 31, 1995 Restriction Requirement.

Under rules effective October 1, 1996, the fee for filing a Petition to Revive an Unintentionally Abandoned Application Under 37 C.F.R. §1.137(b) is \$645.00 for a small entity. Small entity status was previously established in this application and is still applicable. The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for the requisite small entity fee of \$645.00. The Patent and Trademark Office is further authorized hereby to charge Deposit Account No. 05-1135 for any other fees required in connection with this Petition or the attached Response (if the present petition is granted)

A duplicate copy of this Petition (without attached Exhibits A and B) is also submitted herewith.

Favorable action on this Petition is earnestly solicited. Please note that the address and telephone number for applicants' attorney has changed; a Change of Address communication is being concurrently submitted with the present petition.

Respectfully submitted,

Ronald C. Fedus

Registration No. 32,567

Attorney for Applicants

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